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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 302 OF 2007
IN
CRIMINAL APPEAL NO. 60 OF 2007

Anandrao Bapuso Patil & anr. ... Applicants (Ori. Accused)

V/s

The State of Maharashtra ... Respondent

Mr. Rajiv Patil i/by Mr. V.V. Purwant for the applicants.

Mr. A.S. Shitole, A.P.P. for the respondent.

CORAM: D. G. DESHPANDE &
SMT. NISHITA MHATRE, JJ.

DATED: 26TH APRIL, 2007.

P.C.:

1. This is an application for bail by accused Nos. 1 and 2. But the advocate for the accused did not press the relief of bail in respect of accused No.2.

2. According to the advocate for the accused, the role attributed to the accused No.1 is that, when all the quarrel was over, this accused took out the sickle and inflicted blows on the thigh of the victim. He also contended that the accused was on bail during trial. The conditions imposed upon him to mark his presence

every fortnight was scrupulously followed by him and now the allegation in the affidavit that the accused has threatened the witnesses stands negatived in view of the order of this Court dated 28.6.2005. He also drew our attention to the affidavit in reply which was filed by this applicant before the Single Bench. He also contended that the applicant accused No.1 is employed with Air India. The incident has occurred at Sangli and he will not enter the area of Sangli without prior intimation of this Court.

3. In view of this, we pass the following order:-

O R D E R

(i) Application for bail is allowed.

(ii) The accused is in jail. He be released on bail after his furnishing P.R. bond of Rs.15,000/- with two solvent sureties in the like amount.

(iii) Substantive sentences of the accused suspended pending the appeal.

(iv) Fine, if any, to be paid by the applicant accused No.1 before his release on bail.

(v) If the accused No.1 wants to enter the area of Sangli, he should make an application in advance then only he may be permitted.

Prayer for bail in respect of accused No.2 not pressed.

(D.G. DESHPANDE, J.)

(SMT. NISHITA MHATRE, J.)